

**CHAPTER 1059**

## LAW ENFORCEMENT EMPLOYMENT — POLYGRAPH EXAMINATIONS

H.F. 2172

**AN ACT** relating to polygraph examinations of applicants for certain law enforcement positions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 730.4, subsection 3, Code Supplement 1999, is amended to read as follows:

3. **a.** Subsection 2 does not apply to the state or a political subdivision of the state when in the process of selecting **a any of the following**:

(1) **A candidate for employment as a peace officer or**

(2) **A candidate for employment as a corrections officer.**

(3) **An applicant for a position with a law enforcement agency of a political subdivision of the state when the applicant is being considered for a position in which the employee filling the position has direct access to prisoner funds, any other cash assets, and confidential information.**

**b. Polygraph examinations under this subsection shall adhere to the published antidiscrimination policy of the state or political subdivision conducting the examination.**

Approved April 6, 2000

**CHAPTER 1060**

## MEDICAL ASSISTANCE — ELIGIBILITY — TRANSFER OF ASSETS

H.F. 2321

**AN ACT** relating to medical assistance, including eligibility categories and transfer of assets.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 249A.3, subsection 8, paragraph c, Code Supplement 1999, is amended to read as follows:

c. A specified low-income Medicare beneficiary as defined under Title XIX of the federal Social Security Act, section 1902(a)(10)(E)(iii), as codified in 42 U.S.C. § 1396a(a)(10)(E)(iii).

Sec. 2. Section 249A.3, subsection 8, Code Supplement 1999, is amended by adding the following new paragraphs:

**NEW PARAGRAPH.** d. An additional specified low-income Medicare beneficiary as described under Title XIX of the federal Social Security Act, section 1902(a)(10)(E)(iv)(I), as codified in 42 U.S.C. § 1396a(a)(10)(E)(iv)(I).

**NEW PARAGRAPH.** e. An additional specified low-income Medicare beneficiary described under Title XIX of the federal Social Security Act, section 1902(a)(10)(E)(iv)(II), as codified in 42 U.S.C. § 1396a(a)(10)(E)(iv)(II).

Sec. 3. Section 249A.3, subsection 11, Code Supplement 1999, is amended by adding the following new paragraphs:

**NEW PARAGRAPH.** c. A disclaimer of any property, interest, or right pursuant to section 633.704 constitutes a transfer of assets for the purpose of determining eligibility for medical assistance in an amount equal to the value of the property, interest, or right disclaimed.

**NEW PARAGRAPH.** d. Failure of a surviving spouse to take against a will pursuant to chapter 633, division V, constitutes a transfer of assets for the purpose of determining eligibility for medical assistance to the extent that the value received by taking against the will would have exceeded the value of the inheritance received under the will.

Sec. 4. Section 249F.1, subsection 2, paragraph b, subparagraph (5), Code 1999, is amended to read as follows:

(5) Transfers of less than two thousand dollars. However, all transfers by the same transferor during ~~a calendar year~~ the five-year period prior to application for medical assistance by the transferor shall be aggregated. If a transferor transfers property to more than one transferee during ~~a calendar year~~ the five-year period prior to application for medical assistance by the transferor, the two thousand dollar exemption shall be divided equally between the transferees.

Sec. 5. Section 249F.1, subsection 2, paragraph b, subparagraph (9), Code 1999, is amended by striking the subparagraph.

Sec. 6. **NEW SECTION.** 249F.6A EXEMPTION FROM CHAPTER 17A.

Actions initiated under this chapter are not subject to chapter 17A. Review by the district court shall be an original hearing before the district court.

Sec. 7. **NEW SECTION.** 633.246A MEDICAL ASSISTANCE ELIGIBILITY.

Failure of a surviving spouse to take against a will under this division constitutes a transfer of assets for the purpose of determining eligibility for medical assistance pursuant to chapter 249A to the extent that the value received by taking against the will would have exceeded the value of the inheritance received under the will.

Sec. 8. Section 633.704, Code Supplement 1999, is amended by adding the following new subsection:

**NEW SUBSECTION.** 4A. MEDICAL ASSISTANCE ELIGIBILITY. A disclaimer of any property, interest, or right under this section constitutes a transfer of assets for the purpose of determining eligibility for medical assistance under chapter 249A, in an amount equal to the value of the property, interest, or right disclaimed.

Approved April 6, 2000

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## CHAPTER 1061

### RENTED MOTOR VEHICLES — STOPPING, STANDING, OR PARKING VIOLATIONS

*H.F. 2512*

**AN ACT** relating to certain violations attributed to motor vehicles rented from motor vehicle rental companies.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.484, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The owner of a vehicle shall not be held responsible for a violation of a provision regulating the stopping, standing, or parking of a vehicle, whether the provision is contained in this chapter, or chapter 321L, or an ordinance or other regulation or rule, if the owner